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NOTICE OF ALLOWANCE AND FEE(S) DUE

5514	7590	08/21/2009

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER
HAMZA, FARUK

ART UNIT	PAPER NUMBER
2455	

DATE MAILED: 08/21/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/000,485	12/04/2001	Osamu Tsujii	03560.002950.	9623

TITLE OF INVENTION: INFORMATION PROCESSING APPARATUS, METHOD OF CONTROLLING THE SAME, INFORMATION PROCESSING SYSTEM, AND COMPUTER-READABLE MEMORY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	$1510	$300	$0	$1810	11/23/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax **(571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

5514   7590   08/21/2009

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NEW YORK, NY 10112

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

_____ (Depositor's name)

_____ (Signature)

_____ (Date)

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nonprovisional	NO	$1510	$300	$0	$1810	11/23/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
HAMZA, FARUK	2455	709-200000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____

2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE   (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:
☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)
☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)
☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____   Date _____

Typed or printed name _____   Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.   OMB 0651-0033   U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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EXAMINER	
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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 990 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 990 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

	Application No.	Applicant(s)
Notice of Allowability	10/000,485	TSUJII ET AL.
	Examiner	Art Unit	
	FARUK HAMZA	2455	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the communication filed on October 1, 2008*.

2. ☒ The allowed claim(s) is/are *12-13, 15-17, 19-24 and 32-33, renumbered as 1-13*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

        a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

          1. ☐ Certified copies of the priority documents have been received.

          2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

          3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the

changes and/or additions be unacceptable to applicant, an amendment may be

filed as provided by 37 CFR 1.312. To ensure consideration of such an

amendment, it MUST be submitted no later than the payment of the issue fee.

2.   Authorization for this examiner's amendment was given in an interview

with attorney of record John Wakely (Reg. No 60,418) on August 14, 2009.

3.   The application has been amended as follows:

        a) In the Claims:

        Claims 1-11, 14, 18 and 25-31 are canceled.

        12. (currently amended) An information processing apparatus for

processing a data stream inputted via a network, comprising:

        an input unit for inputting a data stream having hierarchically-encoded

data via a network;

        an interrupted-stream storage unit for storing an interrupted stream

generated by interrupting the data stream;

        an interrupt information storage unit for storing interrupt information

associated with the interrupted stream; [[and]]

        an output unit for outputting the interrupted stream stored in said

interrupted-stream storage unit, in response to a request for outputting the data

stream,

wherein the interrupt information is at least one of: a compression ratio, a signal-to-noise ratio, and a number of layers of the data stream; and

a setting unit for setting or updating the interrupt information, wherein said output unit inputs a partial data stream following the interrupted stream via said input unit, in accordance with the interrupt information updated by said setting unit, and generates a previously presented interrupted stream from the interrupted stream stored in said interrupted-stream storage unit and the partial data stream.

16. (currently amended) A method of controlling an information processing apparatus for processing a data stream having hierarchically-encoded data inputted via a network, the method comprising:

an input step of inputting a data stream via a network;

an interrupted-stream storage step of storing, on a first storage medium, an interrupted stream generated by interrupting the data stream;

an interrupt information storage step of storing, on a second storage medium, the interrupt information associated with the interrupted stream; [[and]]

an output step of outputting the interrupted stream stored on the first storage medium in the interrupted-stream storage step, in response to a request for outputting the data stream,

wherein the interrupt information is at least one of: a compression ratio, a signal-to-noise ratio, and a number of layers of the data stream; and

a setting step of setting or updating the interrupt information, wherein, in accordance with the interrupt information updated in said setting step, said output step includes inputting, via execution of said input step, a partial data stream following the interrupted stream and generating a previously presented interrupted stream from the partial data stream and the interrupted stream stored on the second storage medium in said interrupted-stream storing step.

19. (currently amended) A computer-readable memory medium storing a program for implementing a method of controlling an information processing apparatus, the program comprising:

a program code of an input step of inputting a data stream having hierarchically-encoded data via a network;

a program code of an interrupted-stream storage step of storing, on a first storage medium, an interrupted stream generated by interrupting the data stream;

a program code of an interrupt information storage step of storing, on a second storage medium, the interrupt information associated with the interrupted stream; [[and]]

a program code of an output step of outputting the interrupted stream stored on the first storage medium in the interrupted-stream storage step, in response to a request for outputting the data stream,

wherein the interrupt information is at least one of: a compression ratio, a signal-to-noise ratio, and a number of layers of the data stream; and

a program code of a setting step of setting or updating the interrupt
information, wherein, in accordance with the interrupt information updated in said
setting step, said output step includes inputting, via execution of said input step,
a partial data stream following the interrupted stream and generating a previously
presented interrupted stream from the partial data stream and the interrupted
stream stored on the second storage medium in said interrupted-stream storing
step.

    20. (currently amended) An information processing apparatus for
processing a data stream inputted via a network, comprising:

    an input unit for inputting a data stream having hierarchically-encoded
data via a network;

    an analysis unit for analyzing the data stream inputted via said input unit;

    a generating unit for, in accordance with an analysis result made by said
analysis unit, interrupting input of the data stream via said input unit and
generating an interrupted stream from the data stream;

    an interrupted-stream storage unit for storing the interrupted stream
generated by said generating unit;

    an interrupt information storage unit for storing interrupt information
associated with the interrupted stream; [[and]]

    an output unit for outputting the interrupted stream and the interrupt
information to an external apparatus connected to the network,

wherein in the analysis, at least one of: a compression ratio, a signal-to-noise ratio, and a number of layers of the data stream is employed as an analysis condition; and

a setting unit for setting or updating the interrupt information, wherein said output unit inputs a partial data stream following the interrupted stream via said input unit, in accordance with the interrupt information updated by said setting unit, and generates a previously presented interrupted stream from the interrupted stream stored in said interrupted-stream storage unit and the partial data stream.

21. (currently amended) An information processing apparatus according to Claim 20, ~~further comprising a~~ wherein said setting unit ~~for setting or updating~~ sets or updates a reference value indicating the analysis condition of said analysis unit, wherein said analysis unit analyzes the data stream inputted via said input unit, with respect to the reference value.

22. (currently amended) A method of controlling an information processing apparatus for processing a data stream inputted via a network, the method comprising:

an input step of inputting a data stream having hierarchically-encoded data via a network;

an analysis step of analyzing the data stream inputted via said input step;

a generating step of, in accordance with an analysis result made in said analysis step, interrupting input of the data stream in said input step and generating an interrupted stream from the data stream;

an interrupted-stream storage step of storing, on a first storage medium, the interrupted stream generated in said generating step;

an interrupt information storage step of storing, on a second storage medium, the interrupt information associated with the interrupted stream; [[and]]

an output step of outputting the interrupted stream and the interrupt information to an external apparatus connected to the network,

wherein in the analysis, at least one of: a compression ratio, a signal-to-noise ratio, and a number of layers of the data stream is employed as an analysis condition; and

a setting step of setting or updating the interrupt information, wherein, in accordance with the interrupt information updated in said setting step, said output step includes inputting, via execution of said input step, a partial data stream following the interrupted stream and generating a previously presented interrupted stream from the partial data stream and the interrupted stream stored on the second storage medium in said interrupted-stream storing step.

23. (currently amended) A method for controlling an information processing apparatus according to Claim 22, further comprising a wherein said setting step [[of]] further comprises setting a reference value indicating said analysis condition in said analysis step, wherein said analysis step includes

analyzing the data stream inputted via said input step, with respect to the

reference value.

24. (currently amended) A computer-readable memory medium storing a

program for implementing a method of controlling an information processing

apparatus, the program comprising:

a program code of an input step of inputting a data stream having

hierarchically-encoded data via a network;

a program code of an analysis step of analyzing the data stream inputted

via the input step;

a program code of a generating step of, in accordance with an analysis

result made in the analysis step, interrupting input of the data stream in the input

step and generating an interrupted stream from the data stream;

a program code of an interrupted-stream storage step of storing, on a first

storage medium, the interrupted stream generated in the generating step;

a program code of an interrupt information storage step of storing, on a

second storage medium, the interrupt information associated with the interrupted

stream; [[and]]

a program code of an output step of outputting the interrupted stream and

the interrupt information to an external apparatus connected to the network,

wherein in the analysis, at least one of: a compression ratio, a signal-to-

noise ratio, and a number of layers of the data stream is employed as an analysis

condition; and

a program code of a setting step of setting or updating the interrupt

information, wherein, in accordance with the interrupt information updated in said

setting step, said output step includes inputting, via execution of said input step,

a partial data stream following the interrupted stream and generating a previously

presented interrupted stream from the partial data stream and the interrupted

stream stored on the second storage medium in said interrupted-stream storing

step.

REASONS FOR ALLOWANCE

4.   The following is an examiner's statement of reasons for allowance: Claims

12-13, 15-17, 19-24 and 32-33 are allowable over the prior art of record.

This communication warrants no examiner's reason for allowance, as

applicant's reply makes evident the reason for allowance, satisfying the record as

whole as required by rule 37 CFR 1.104 (e). In this case, the substance of

applicant's remarks in the Amendment filed on October 01, 2008 with respect to

the amended claim limitations point out the reason claims are patentable over the

prior art of record. Thus, the reason for allowance is in all probability evident from

the record and no statement for examiner's reason for allowance is necessary

(see MPEP 13202.14).

5.   Any comments considered necessary by applicant must be submitted no

later than the payment of the issue fee and, to avoid processing delays, should

preferably accompany the issue fee. Such submissions should be clearly labeled

"Comments on Statement of Reasons for Allowance or Examiner Amendment."

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

Ff attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll -free).

Faruk Hamza

Patent Examiner

Group Art Unite 2455

          /saleh najjar/
          Supervisory Patent Examiner, Art Unit 2455